



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

March 10, 2011

### To Protestants & Parties

#### RE: Contested Application for Transfer #73811 – Idaho Water Company

Dear Parties:

As you are aware the above Application for Transfer was ordered rejected by order on February 15, 2011. On March 1, 2011, our agency received a timely Petition for Reconsideration relating to the preliminary order. By request, I met with parties associated with the Applicant on March 9, 2011. The Applicant desired information on specific documents and actions that would be required to reinstate the Applicant's authority to file the application. The application contents nor contested case matters were at no time discussed by parties at the meeting.

*Idaho Code 67-5243(3) states: Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within (21) days of its receipt, or the petition will be considered denied by operation of law*

This letter will confirm the Department has initiated an action on the Petition for Reconsideration within the 21 days of its receipt. The attached Petition for Reconsideration has been forwarded to all parties in the contested case. Please review the petition and provide your comments/ recommendations for Department consideration by **March 25, 2011**. The Department will act on the petition shortly after the deadline date.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra, Manager

Enclosure: Petition for Reconsideration.

## CERTIFICATE OF SERVICE

I hereby certify that on this 10<sup>th</sup> day of March, 2011, I mailed a true and correct copy of the foregoing ***LETTER REGARDING PETITION FOR RECONSIDERATION*** to the person(s) listed below:

IDAHO WATER COMPANY  
C/O DEL KOHTZ  
1135 VALLEY RD SOUTH  
EDEN ID 83325

GIVENS PURSLEY LLP  
ATTN: MICHAEL CREAMER  
PO BOX 2720  
BOISE ID 83701-2720

BROCKWAY ENGINEERING  
ATTN: ERICK POWELL  
2016 N WASHINGTON ST, STE 4  
TWIN FALLS ID 83301

CITY OF MOUNTAIN HOME  
ATTN: WAYNE SHEPHERD  
PO BOX 10  
MOUNTAIN HOME, ID 83647

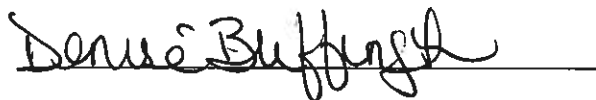
G3 LLC  
ATTN: CRAIG HAYNES  
2136 E LEWANDOWSKI LN  
BOISE ID 83716

NEVID LLC & ELK CREEK RANCH LLC  
C/O BARKER ROSHOLT & SIMPSON  
ATTN: NORM SEMANKO  
PO BOX 2139  
BOISE, ID 83701-2139

MAYFIELD TOWNSITE LLC  
PO BOX 1359  
CALDWELL ID 83606

MOORE SMITH BUXTON & TURCKE  
ATTN: BRUCE SMITH  
950 W BANNOCK ST, STE 520  
BOISE ID 83702

WILSON & MC COLL  
C/O BRIAN MC COLL  
PO BOX 1544  
BOISE, ID 83701-1544



Denise Buffington  
Administrative Assistant